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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,759	02/09/2004	M'hamed Anis Khemakhem	2316.1825US01	8710
7590 01/09/2006			EXAMINER	
Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903			HYEON, HAE M	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/775,759

Applicant(s)

KHEMAKHEM, M'HAMED ANIS

Examiner

Hae M. Hyeon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16 and 20-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/1, 9/27, 11/14</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on November 14, 2005. These drawings are approved.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 13-16 and 20-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 13, lines 11-12 recite, "the first endcap including an inner bulkhead cooperating with the first boot **to cover** the mating end of the first connector." However, lines 15-17 recite, "the first endcap also including a second end adapted to fit about a second cable connector which including a mating end adapted **to physically and electrically mate** with the mating end of the first connector." It is not clear how the mating end of the second cable connector can physically and electrically mates with the mating end of the first connector if the bulkhead covers the mating end of the first connector. Claims 20, 22 and 27 have the similar problem as claim 13. Claim 20, lines 5-6 recite that the inner bulkhead of the endcap covers the mating end of the connector. Claim 22, lines 9-10 recites that the first protective boot covers the mating end of the

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first cable connector. Claim 27 recites that the mating end of the second cable connector physically and electrically mates with the mating end of the first cable connector.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 20 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20, lines 5-7 recite, "the endcap including an inner bulkhead for covering the mating end of **the connector**; mating the selected end of the endcap with the mating end of **the connector**." It is not clear which connector is referring to in the lines 5-7 since lines 3-4 defined that the cable connector comprised of two gender connectors, a connector of a first gender and a connector of a second gender.

Claim Rejections - 35 USC § 103

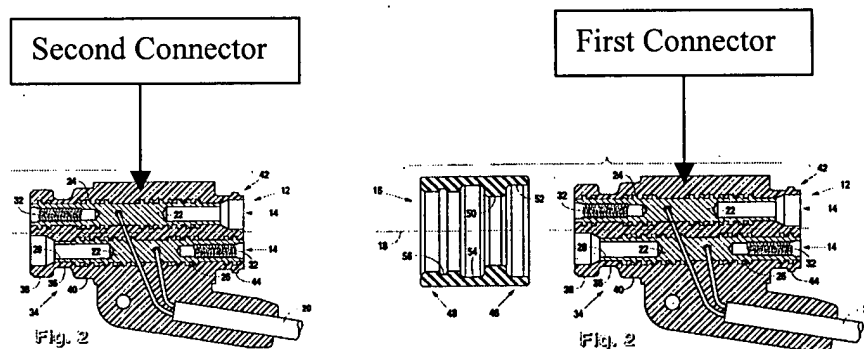
6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 22, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood (US 5,605,468) in view of Fussell (US 5,199,893).

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Wood discloses a cable connector assembly 10 comprising a first connector 22 with a mating end 34, a first protective boot 12 with a circumferential mating lip 38 at a connector opening, and a first endcap 16 including a circumferential mating lip 54. The connector 22 is disposed interior space of the first boot 12. The endcap 16 has a first end 46 positioned about the mating end 34 of the first connector 22. The lips 38 and 54 of the first end 46 of the first end cap and the first boot 12 are mated to form a junction adjacent the mating end of the first connector (see Fig. 1). The first endcap 16 also includes a second end 48 fitted to a second cable connector, which includes a mating end 42 adapted to physically and electrically mated with the mating end 34 of the first connector 22. The second connector includes a second circumferential lip 44 adapted to mate with and form a junction with a second protective boot positioned about the second connector. Although Wood calls the second lip 44 as O-ring, Wood stated that the second lip 44 formed integrally on the peripheral outer surface. Therefore, lip 44 is a ring shaped lip.



Although Wood does not disclose a first cable connector having a cable extending away from the connector opposite the mating end, Fussell discloses the same type of cable connector assembly 30 having a mating end and a cable 34 extending away from the connector opposite the mating end.

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It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the connector assembly taught by Wood such that it would have an endcap with a tether to maintain the endcap in proximity of the connector.

Regarding the second endcap recited in claim 27, it only deals with a duplication of part. It has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. Instead of using one endcap, two endcaps with the same structure are used.

8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wood and Fussell as applied to claims 22, 23 and 27 above, and further in view of Sopotnick et al (US 6,065,981).

Claim 26 recites that the first endcap includes a tether having an opening sized to fit about the first protective boot.

While Wood does not disclose a tether, Sopotnick discloses a connector having an endcap 4 attached to the connector by a tether 8 and a ring 10. Sopotnick teaches that the tether maintains the endcap 4 in proximity of the connector for quick and easy installation of the endcap.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the tether and a ring taught by Sopotnick in the endcap taught by Wood because the tether and the ring would provide quick and easy installation of the endcap by maintaining the endcap in proximity of the connector.

Response to Arguments

9. Applicant's arguments with respect to claims 13-16 and 20-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hae M. Hyeon whose telephone number is 571-272-2093. The examiner can normally be reached on Mon.-Fri. (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hae M Hyeon
Primary Examiner
Art Unit 2839

hnh

hnh

Hae Moon Hyeon